

Appln No. 10/760,256
Amndt. Dated August 31, 2005
Response to Office Action of June 23, 2005

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REMARKS/ARGUMENTS

In response to the Examiner's further Office Action of June 23, 2005 the Applicant submits the accompanying Amendment to the claims and the below Remarks directed thereto.

Claims 1-49 as filed are currently pending in the present application, with claims 10, 11, 17-30, 33-36 and 41-47 withdrawn from consideration. In the Amendment:

independent claim 1 is amended to specify that the specification for an operator's requirements communicated by the input devices with the processor includes a selection of a pattern, where this selection is communicated by input of a symbol of the selected pattern. Support for this amendment can be found at page 39, lines 12-22 and page 44, lines 25-29 of the present specification and in pending, allowable claim 12;

claims 7, 8 and 13 are amended to replace "the configuration" with --a configuration of the printer--. Support for these amendments can be found at page 44, lines 31-34 of the present specification;

claim 12 is amended in conformance with amended claim 1;

claims 31, 37, 38 and 48 are amended to omit double recitations of the structure and/or method steps recited in amended claim 1;

claims 39 and 49 are cancelled; and

claims 2-6, 9, 14-16, 32 and 40 and withdrawn claims 10, 11, 17-30, 33-36 and 41-47 are unchanged.

It is respectfully submitted that the above amendments do not add new matter to the present application.

Election/Restrictions

It is respectfully submitted that the subject matter of amended independent claim 1 is allowable, for at least the reasons discussed below, and that amended claim 1 remains generic to each of Species 1 to 6 indicated by the Examiner in the Election/Restriction Requirement of March 23, 2005.

Claim Objections

Claims 7-9

It is respectfully submitted that above-discussed amendment to claims 7 and 8 (and claim 13) to specify that the recited "configuration" is that of the printer provides the correction required by the Examiner.

It is noted that examples of this configuration of the printer are given in claim 13, which are also described at page 44, lines 31-34 of the present specification.

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Claims 31, 37, 38, 48 and 49

It is respectfully submitted that above-discussed amendment to claims 31, 37, 38 and 48 (and cancellation of claim 49) to omit double recitations of the structure and/or method steps recited in amended claim 1 provides the correction required by the Examiner.

35 USC 112, second paragraph Rejections

It is respectfully submitted that the above-discussed cancellation of claims 39 and 49 renders the clarity rejections moot.

Double Patenting

It is respectfully submitted that the above-discussed cancellation of claim 39 renders the provisional obviousness-type double patenting rejection moot.

35 USC 102(b) Rejection

It is respectfully submitted that the subject matter of amended independent claim 1, and claims 3, 4, 7, 13 and 40 dependent therefrom, is not disclosed by Martin (US 2002/0171692), for at least the following reasons.

In the present invention, an operator of the wallpaper printer is able to select a pattern by either viewing the pattern on display 104, from a collection of printed swatches 200 or by referring to other sources. The selection is communicated to the printer via scanner 108, a keyboard, display (touch screen) 104 or other means by using an identity, such as a barcode or other symbol or a representative alphanumeric code, of the selected pattern (see page 39, lines 12-22 and page 44, lines 25-29 of the present specification). As discussed above, independent claim 1 has been amended to incorporate this allowable subject matter from pending dependent claim 12.

Martin does not disclose, nor suggest, such a convenient selection of a pattern. Rather, in Martin a user is only able to select 36,37 patterns and/or images 30 for printing from a display 34 of such patterns or images (see paragraphs [0009] and [0010] of Martin). As such, the method of Martin requires the display of the patterns/images to be selected, which is not a requirement of the method of amended claim 1.

Thus, it is respectfully submitted that the subject matter of amended independent claim 1, and claims 2-9, 12-16, 31, 32, 37, 38, 40 and 48, and withdrawn claims 10, 11, 17-30, 33-36 and 41-47, dependent therefrom, is not disclosed or suggested by Martin.

35 USC 103(a) Rejections

It is respectfully submitted that the subject matter of claims 5, 6, 14, 15 and 48, dependent from amended claim 1, is not taught or suggested by Martin in view of any of Goldstein (US 2002/0069078), Gerber (WO 03/064170) and Ogura et al. (JP 01-053968), or further in view of any of Bilek (USP 4,322,044), Yada et al. (JP 2003063700) and Oda (JP 03147899), for at least the following reasons.

None of Goldstein, Gerber, Ogura, Bilek, Yada and Oda make up for the above-discussed deficiencies in Martin. This is because, Goldstein and Gerber disclose a method

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of selecting patterns/images like that of Martin in which selection is performed via display of those patterns/images, and because Ogura, Bilek, Yada and Oda merely disclose the construction of wallpaper printers and do not disclose any method of selection.

Thus, it is respectfully submitted that the subject matter of amended independent claim 1, and claims 2-9, 12-16, 31, 32, 37, 38, 40 and 48, and withdrawn claims 10, 11, 17-30, 33-36 and 41-47, dependent therefrom, is not taught or suggested by Martin taken in combination with any of Goldstein, Gerber, Ogura, Bilek, Yada and Oda.

The Applicants have amended Pages 1 and 2 of the Specification and replaced the Docket numbers with the US corresponding applications. The Applicants submit that this amendment introduces no new matter.

It is respectfully submitted that all of the Examiner's objections and rejections have been traversed. Accordingly, it is submitted that the present application is in condition for allowance and reconsideration of the present application is respectfully requested.

Very respectfully,

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